

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

ORDER

Plaintiff,

11-cr-12-wmc

v.

LACEY PHILLIPS and
ERIN HALL,

Defendants.

On September 16, 2011, a jury found defendants Lacey Phillips and Erin Hall guilty of conspiracy and of making a false statement to a bank. On December 8, 2011, each was sentenced to 60 days in prison, as well as three years of supervised release. Phillips and Hall timely filed notices of appeal and on September 4, 2013, the Seventh Circuit Court of Appeals, sitting en banc, vacated the convictions and remanded the case for a new jury trial.

Pending before this court is the government's motion for continuance (dkt. #165) to seek a writ of certiorari to the United States Supreme Court. The court will grant the motion given that: (1) neither defendant Phillips nor defendant Hall object to a continuance, (2) the defendants are no longer in custody, and (3) a final ruling from the Supreme Court may advance the just, speedy and inexpensive resolution of this case.

ORDER

IT IS ORDERED that the motion for continuance is GRANTED. Pursuant to 18 U.S.C. § 3161(h)(7)(A), this time will be excludable under the speedy trial act because the court finds that the ends of justice are served by granting the continuance in order to allow the government time to pursue its appellate rights and that such action outweighs the best interest of the public and the defendants in a speedy trial on the unique facts of this case.

Entered this 9th day of October, 2013.

BY THE COURT:

WILLIAM M. CONLEY
District Judge